

## **Draft Navy Presentation to Mayor 6-28-2017 – EPA Comments**

### **General Comments**

We support your key message that the challenge is significant and requires correspondingly substantial time and resources to do right. Accordingly, we recommend conveying several key messages to the Navy:

1. You asked us to ensure that any property is safe before conveying to the City for its residents. In fulfilling our commitment to you, we are doing a thorough job. Our expert team is discovering more complexity the deeper we analyze the issues. To deliver property confirmed to be safe, we are taking the time to do it right. For example, our more in-depth approach has already found at least four survey units in Parcel C with potential falsification that would not have been found using previous methods.
2. I understand that all of us would prefer more predictability in schedule. We all need to be aware of potential sources of uncertainty so we can responsibly make contingency plans accordingly. We want to be up-front and open in the spirit of full transparency. As illustrations of uncertainty:
  - a. When the Navy first discovered data problems in soil trenches, we found survey units where data were falsified and further remediation was needed in five locations of the Shipyard.
  - b. When the Navy first discovered data problems in buildings, rescanning parts of four buildings took about a year.
3. To coordinate with the City's schedule and avoid any unnecessary delay, we are splitting the work into parcels and phasing the sequence of the investigation based on the sequence of the development schedule.

### **Specific comments**

1. Slide 2 Map – To illustrate the Navy's work already done, please add to the map in different colors (1) the locations of survey units with K-40 anomalies already resampled, (2) the falsification already confirmed, and (3) the additional remediation already completed.
2. Slide 2 Bullets – Please add data for gamma scans in trench units between sampling locations
3. Slide 3 – Labelling 49 survey units "confirmed valid" could be misinterpreted. In some survey units, the Navy already identified K-40 anomalies and confirmed that falsification occurred. We recommend adding another section of the pie chart in a new color to show fully the extent of falsification already confirmed and addressed. In addition, please indicate on the slide that this Navy draft proposal has not been received regulatory review. Agencies will need to review the survey unit forms, which have not yet been

provided. Agencies may recommend a different number of survey units for further action.

4. Next Steps, Bullet 1 – In addition to developing methods for buildings, please add that methods will be developed for evaluating backfill and trench gamma scans between soil samples. Methods already used for soil are broader than just statistical analysis, so please broaden the statement to incorporate other approaches.
5. Next Steps, Bullet 5 – In addition to sampling, please add rescanning.
6. Community Involvement - We want to make sure that the Community Technical Advisor and Community Liaison team is supportive to the community throughout the Tetra Tech investigation, especially through the period of sampling and analysis. Also, it is important to make sure the Navy has more opportunities to update the community between the initial report and the final report. In addition, it not clear in this schedule for the Mayor and the community how the Navy will address any confirmed exceedances of cleanup levels. Below in red are proposed additions to the draft bullets:
  - Seeking Community Liaison for additional community outreach support
  - Community Technical Advisor and Community Liaison team will assist the community to understand the investigation and assist with formulation of comments/concerns throughout this process.
  - Two Bus Tours were conducted on 8 April 2017 and another scheduled for 5 August 2017
  - Fact Sheet #2 following data evaluation and initial findings will include comment period and invitation to the CAC meeting
  - CAC Meeting (Summer 2017) and will consider comments received with feedback to the community
  - Fact Sheet #3 after results of data and fieldwork evaluation
  - Community Meeting (2018) and will consider comments received with feedback to the community
7. Notional Schedule – We cannot support this draft schedule as realistic without more information about assumptions. For example, for the December 2017 date on the findings report for soil, does that include 21-day ingrowth for lab analysis? How much time is assumed for regulatory review? How many parcels are included? How many sampling locations are assumed? Does this date assume regulatory approval of the report? What contingency is assumed for additional sampling if exceedances are found? What contingency is assumed for routine delays from weather, equipment failure, etc.? Please provide a more detailed schedule with assumptions for review. Alternatively, the

slide could indicate that this is a Navy proposed draft that has not yet gone through regulatory review.

Many factors could result in the time required exceeding the estimates pictured. Here are some examples:

- Other parcels have had more history of radiological work, so they potentially have more contamination and more potential for concerns than Parcel C.
- Cleanups in general often need more rounds of sampling and more remediation.
- Our technical teams are only now beginning to analyze the buildings, and last fall, both EPA and CDPH recommended rescans based on evidence.
- Rain, equipment failure, and other unanticipated circumstances could cause delay.
- Regulatory agencies need adequate time to perform independent statistical analysis and other review of draft proposals, and more sampling and rescanning may be recommended beyond the Navy's draft proposals.